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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 156

Suspension of the rules for *Vanessa* Fabricius,
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 156.

SUSPENSION OF THE RULES FOR *VANESSA* FABRICIUS, 1807 (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared that page precedence shall not be invoked to secure for *Cynthia* Fabricius 1807 (Class Insecta, Order Lepidoptera) over *Vanessa* Fabricius, 1807. *Vanessa* Fabricius, with type *Papilio atalanta* Linnaeus, 1758, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 601.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee¹ of the Society's Committee on Generic Nomenclature,² regarding the generic names of certain of the British Lepidoptera, in regard to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*), to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names in question. One of these names was *Vanessa* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281 (Class Insecta, Order Lepidoptera, Family NYMPHALIDAE).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

VANESSA Fabricius

Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281.

Latreille, 1810, *Consid. gén. Anim. Arach. Ins.* : 440.

TYPE (fixed by Latreille) = *Papilio atalanta* Linnaeus, 1758.

¹ This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

² This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

I have included among the synonyms of *Vanessa* Fabricius the name *Cynthia* Fabricius, which on a strict application of the International Code should take precedence of *Vanessa* Fabricius. Nomenclatorially, both *Vanessa* Fabricius and *Cynthia* Fabricius are valid names, but as their respective types (*Papilio atalanta* Linnaeus and *Papilio cardui* Linnaeus) are undoubtedly congeneric, one must sink as a synonym of the other. Both were described by Fabricius in the same paper and the descriptions of both were printed on the same page. The genera enumerated by Fabricius were numbered consecutively and *Cynthia* Fabricius was number 11, while *Vanessa* Fabricius was number 12. Thus on the principle of page priority, *Vanessa* Fabricius should fall to *Cynthia* Fabricius.

There are, however, very strong reasons against such an arrangement. The name *Vanessa* Fabricius, perhaps more than any other butterfly generic name, has throughout its history been applied to the same group of species. Further, these are some of the commonest and most widely known of all the palaeartic butterflies and include such species as the Painted Lady (*Papilio cardui* Linnaeus) and the Red Admiral (*Papilio atalanta* Linnaeus). There are very strong objections to upsetting so universal a usage unless on the other side very strong reasons can be adduced for doing so. Moreover, if one examines the history of the name *Cynthia* Fabricius, one finds that it has been used almost consistently for an entirely different group of butterflies belonging to an entirely different faunistic region, i.e. the Indo-Malayan region. One of these butterflies, *Papilio arsinoe* Cramer 1777, was the first of the six very miscellaneous species included by Fabricius in his genus *Cynthia*. The name *Cynthia* Fabricius came into general use for these species as a result of Doubleday's action in re-applying it to *arsinoe* Cramer in his *Genera of Diurnal Lepidoptera* and that species was actually specified as the type by Scudder (1875, *Proc. Amer. Acad. Arts Sci.* Boston 10 : 152). It was consistently used in that sense by all subsequent authors until Barnes and Lindsey (1922, *Ann. ent. Soc. Amer.* 15 : 92) quite correctly pointed out that under the International Code this use was wrong as the type of *Cynthia* Fabricius is *Papilio cardui* Linnaeus, 1758, that species having been specified as such in 1840 by Westwood (1840, *Introd. Class. Ins.* 2 *Syn.* : 87), the first author to specify a type for this genus.

The position is, therefore, that a strict application of the Code would :—

- (a) deprive *Papilio atalanta* Linnaeus and *Papilio cardui* Linnaeus of the generic name *Vanessa* Fabricius by which they have been almost universally known since 1807;
- (b) transfer those species to the genus *Cynthia* Fabricius, a name which has not only hardly ever been applied to them but has also been applied almost universally to an entirely different group of species (*Papilio arsinoe* Cramer and its allies).³

In my opinion the confusion that would result is too high a price to pay for the sake of applying the principle of page priority to two names first published on the same page of the same work.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of their plenary powers the

³ The oldest available name for *Papilio arsinoe* Cramer and its allies is *Vindula* Hemming, 1934, *Entomologist* 67 : 77.

International Commission on Zoological Nomenclature should as soon as possible render an *Opinion* to the following effect :—

The principle of page priority shall not be invoked to secure precedence for *Cynthia* Fabricius, 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 281 no. 11) over *Vanessa* Fabricius, 1807 (*ibid.* 6 : 281 no. 12). Consequently *Vanessa* Fabricius shall be deemed to be the older of the two names and is hereby added to the *Official List of Generic Names*.

These conclusions were concurred in by the Lepidoptera Sub-Committee by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Society to approach the International Commission in the sense indicated. It was in accordance with this recommendation that the Council addressed to the Commission the letter referred to in paragraph 1 above.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. Before the Commission had time to take any action on this case, they received a letter on the same subject (dated 17th May 1934) from Dr. J. Mc. Dunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract :—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist." You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure.

The following is an extract from the note referred to above :—

ON THE STABILIZING OF FOUR GENERIC NAMES

(Lepid. : Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Committee on Generic Nomenclature of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-Committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows :

..... *Vanessa* Fabr. (*P. atalanta* Linn.) . . .

Welcoming any action that would assist in stabilizing generic Nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

J. Mc. Dunnough, Entom. Br., Dept. of Agriculture, Ottawa, Canada.
May 15, 1934.

Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.

John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles,
Calif. Apr. 26, 1934.

Wm. T. M. Forbes,⁴ Dept. of Entomology, Cornell U., Ithaca, N.Y. Apr.
17, 1934.

Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Phila-
delphia, Pa. Apr. 17, 1934.

E. Irving Huntington, 155 East 90th St., New York, N.Y. Apr. 21, 1934.

Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.

Frank E. Watson, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

C. H. Curran, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.

Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr.
24, 1934.

5. As a first step the Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee agreed to recommend the International Commission on Zoological Nomenclature to take such action under their plenary powers as might be necessary to secure that the generic name for *Papilio atalanta* Linnaeus, 1758, should be *Vanessa* Fabricius, 1807. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of

⁴ Dr. Forbes added the following note :—I should be equally willing to accept *io* or *antiopa* as type of *Vanessa*, being more interested in fixity than in what is fixed, within reason.

some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the generic names *Vanessa* Fabricius and *Cynthia* Fabricius was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed:—⁵

(a) to "suspend the rules" in the case of the following generic names:—

.....
 (iv) *Vanessa* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281

(e) to declare that page precedence shall not be invoked to secure precedence for *Cynthia* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281 (type: *Papilio cardui* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 475) over *Vanessa* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281 (lower down on the same page as the name *Cynthia*) (type: *Papilio atalanta* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 478); and therefore that the name *Vanessa* Fabricius is valid;

.....

(i) to add the generic names . . . *Vanessa* Fabricius, 1807, . . . to the *Official List of Generic Names*, with the types indicated above;

.....

(l) to render *Opinions* in the sense of (a) to (l) above.

⁵ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

8. The foregoing decisions were embodied in paragraph 28 of the report ⁶ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission

⁶ See 1943, *Bull. zool. Nomencl.* 1 : 60-61.

in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion* ;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of

holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Six (*Opinion* 156) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 has been published in 1944 and Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-15 (containing *Declarations* 1-9 and *Opinions* 1-6) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-26, containing *Declarations* 10-12 and *Opinions* 134-156, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-4 (containing *Opinions* 182-185) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £773 13s. 7d. were received up to 30th June 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."